

1 LAWRENCE RUIZ, ESQ.  
2 Nevada Bar No. 11451  
3 NICKOLAS GIORGIONE, ESQ.  
4 Nevada Bar No. 14370  
5 **RUIZ LAW FIRM**  
6 1055 Whitney Ranch Drive, Suite 110  
7 Henderson, NV 89014  
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12 Attorneys for Plaintiff

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 SYRIA REGAINS,

16 Plaintiff,

17 Case No.: 2:22-cv-00334-JCM-VCF

18 vs.

19 99 CENTS ONLY STORES, LLC. d/b/a 99  
20 CENTS ONLY, a foreign limited liability  
21 company; DOES I-X; and ROE  
22 CORPORATIONS I-X, inclusive,

23 Defendants.

24 **STIPULATION AND ORDER TO EXTEND DISCOVERY – FIRST REQUEST**

25 COMES NOW Plaintiff, SYRIA REGAINS, by and through her counsel of record  
26 NICKOLAS GIORGIONE, ESQ., of the RUIZ LAW FIRM, and Defendant 99 CENTS ONLY  
27 STORES, LLC., by and through their counsel of record LEW BRANDON, JR., ESQ.,  
28 ANDREW GUZIK, ESQ., and HOMERO GONZALEZ, ESQ., of the BRANDON|SMERBER  
LAW FIRM, and hereby stipulate and request that this Court extend the current scheduling order  
and discovery plan in this matter for a period of ninety (90) days for the reasons explained  
herein.

**RUIZ LAW FIRM**  
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Henderson, NV 89014  
702.850.1717 / 702.850.1716 (fax)

1 Pursuant to Local Rule 6-1(b), the parties hereby state this is the first such discovery  
2 extension requested in this matter.

3 **DISCOVERY COMPLETED TO DATE**

4 The parties have conducted an FRCP 26(f) conference and have served their respective  
5 FRCP 26(a) disclosures;

6 Defendant has served upon Plaintiff one set of Requests for Production, one set of  
7 Interrogatories and one set of Requests for Admissions. Plaintiff has responded to the discovery  
8 requests;

9 Plaintiff has served upon Defendant one set of Requests for Production and one set of  
10 Interrogatories. Defendant has yet to respond;

11 Plaintiff has yet to provide provider specific authorizations;  
12 Defendant set the deposition of the Plaintiff and vacated the same due to Plaintiff's current  
13 physical and mental health conditions;

14 **DISCOVERY TO BE COMPLETED AND REASONS**

15 **FOR EXTENSION OF DISCOVERY**

16 Discovery to be completed includes:

- 17
- 18 • Deposition of Plaintiff;
  - 19 • Depositions of Plaintiff's treating physicians;
  - 20 • Disclosure of experts by both parties;
  - 21 • Depositions of expert witnesses and rebuttal expert witnesses;
  - 22 • Plaintiff to notice Defendant's 30(b)(6) deposition; and

23 The parties, pursuant to Local Rule 6-1, state that good cause exists for the requested  
24 extension. The parties agree that, pending this Court's approval, extension of remaining  
25

discovery deadlines is appropriate, as Plaintiff recently suffered some physical and mental health issues that have made her unable to participate in the discovery process. The parties have continued to work together amicably, and all discovery to be completed is currently being scheduled pending Plaintiff's recovery from her physical and mental health issues. All other discovery is set to continue to move forward in the interim. Further, the parties still wish to further investigate this case and potentially reach a resolution prior to incurring fees and costs for further extensive discovery and experts once these medical records for pre-incident treatment are received.

## **[PROPOSED] NEW DISCOVERY DEADLINES**

Expert Disclosure Deadline . . . .	April 13, 2023
Rebuttal Expert Disclosure Deadline . . . .	May 15, 2023
Discovery Cut-Off Date . . . .	June 14, 2023
Dispositive Motion Deadline . . . .	July 13, 2023
Proposed Joint Pre-Trial Order . . . .	August 14, 2023

If this extension is granted, all anticipated additional discovery should be concluded within

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

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1 the stipulated extended deadline. The parties aver that this request for extension of discovery  
2 deadlines is made by the parties in good faith and not for the purpose of delay.

3 APPROVED AS TO FORM AND CONTENT.

4 Dated this 19<sup>th</sup> day of July, 2022.

5 RUIZ LAW FIRM

6 */s/ Nickolas Giorgione*

7 NICKOLAS GIORGIONE, ESQ.  
8 Nevada Bar No. 14370  
9 1055 Whitney Ranch Drive, Suite 110  
10 Henderson, NV 89014  
11 *Attorney for Plaintiff*

Dated this 19<sup>th</sup> day of July, 2022.

BRANDON|SMERBER LAW FIRM

*/s/ Homero A. Gonzalez*

LEW BRANDON, JR., ESQ.  
Nevada Bar No. 5880  
ANDREW GUZIK, ESQ.  
Nevada Bar No. 12758  
HOMERO A. GONZALEZ, ESQ.  
Nevada Bar No. 15231  
139 E. Warm Springs Road  
Las Vegas, NV 89119  
14 *Attorneys for Defendant*

15 IT IS SO ORDERED:

16   
17 UNITED STATES MAGISTRATE JUDGE

18 7-20-2022

19 Dated: \_\_\_\_\_

**Tammy Wagner**

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**From:** Homero Gonzalez <H.Gonzalez@bsnv.law>  
**Sent:** Tuesday, July 19, 2022 11:30 AM  
**To:** Tammy Wagner  
**Cc:** Nick Giorgione  
**Subject:** RE: Regains v. 99 Cents Only  
**Attachments:** Stip and Order to Extend.1st.revised.pdf

Good morning:

You may affix my signature to the attached version of the Stipulation and Order to Extend Discovery Deadlines. Thank you.

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Warmest regards,  
**HOMERO A. GONZALEZ, ESQ.**  
ASSOCIATE ATTORNEY  
BRANDON | SMERBER LAW FIRM  
139 EAST WARM SPRINGS ROAD  
LAS VEGAS, NEVADA 89119  
TEL. (702) 380-0007  
FAX. (702) 380-2964

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**From:** Tammy Wagner <Tammy@lmruiizlaw.com>  
**Sent:** Tuesday, July 19, 2022 11:28 AM  
**To:** Homero Gonzalez <H.Gonzalez@bsnv.law>  
**Cc:** Nick Giorgione <nick@lmruiizlaw.com>  
**Subject:** RE: Regains v. 99 Cents Only

Mr. Gonzalez,

Please find attached the revised Stip and Order.

Thank you,

**Tammy A. Wagner, ACP**  
Advanced Certified Paralegal/Office Administrator



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